

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

TROY PHILLIPS

Plaintiff,

V.

I.C. SYSTEM, INCORPORATED by

Defendant.

FILED ENTERED  
LODGED RECEIVED

OCT 06 2011

AT BALTIMORE  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
CIVIL ACTION NO.  
DEPUTY

ELH11 CV 2861

OCTOBER 4, 2011

**COMPLAINT**

**I. INTRODUCTION**

1. This is an action for actual and statutory damages brought by Plaintiff, as an individual consumer, against Defendant I. C. System, Incorporated hereinafter ("IC") for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. (hereinafter "FDCPA"), which prohibits debt collectors from engaging in abusive, deceptive, and unfair practices.

**II. JURISDICTION**

2. Jurisdiction of this court arises under 15 U.S.C. § 1692k (d) and 28 U.S.C. § 1337. Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and 2202. Venue in this District is proper in that the defendant transacts business here and the conduct complained of occurred here.

### III. PARTIES

3. Plaintiff is a natural person residing in the Town of Baltimore, State of Maryland.

4. Defendant, IC, is a foreign corporation engaged in the business of collecting debts in the State of Maryland with its principal place of business located at 444 East Highway 96, P.O. Box 64444, St. Paul, MN 55164 and is authorized to do business in Maryland. The principal purpose of Defendant business is the collection of debts in this State and Defendant regularly attempts to collect debts alleged to be due another.

5. Defendant IC is engaged in the collection of debts from consumers using the mail and telephone. Defendant regularly attempts to collect consumer debts alleged to be due to another. Defendant is a "debt collector" as defined by the FDCPA, 15 U.S.C. § 1692a (6).

### IV. FACTUAL ALLEGATIONS

6. Defendant contacted the Plaintiff via written letter dated June 10, 2011.

7. Plaintiff drafted a written dispute and mailed same via certified letter July 6, 2011.

8. Defendant has never validated the written dispute of the Plaintiff, yet still attempted to collect this disputed debt on or about August 5, 2011.

9. Based on information and belief Defendant failed to advise it's client that this account was disputed and the creditor (Verizon) reported this debt to the credit bureaus without note of Plaintiff's dispute on July 2011.

10. Based on information and belief the Defendant reported this debt to the credit bureaus, upon receiving the Plaintiff's dispute and failed to note his dispute.

11. Defendant failed to validate the disputed debt and still took collection actions after receiving the dispute and violated §1692g.

12. As a result of the acts alleged above, Plaintiff has been damaged.

#### V. CLAIM FOR RELIEF

13. Plaintiff repeats and realleges and incorporates by reference to the foregoing paragraphs.

14. Defendant violated the FDCPA including but not but not limited to, the following:

(a) Violation of §1692e (2) (A) the false representation of the character, amount, or legal status of any debt.

(b) Violation of §1692g.

15. As a result of the foregoing violations of the FDCPA, Defendant is liable to the Plaintiff for declaratory judgment that Defendant's conduct violated the FDCPA, actual damages, statutory damages, costs and attorney's fees.

WHEREFORE, Plaintiff respectfully requests that judgment is entered against Defendant for the following:

- A. Declaratory judgment that Defendant's conduct violated the FDCPA;
- B. Actual damages;
- C. Statutory damages pursuant to 15 U.S.C. § 1692k;
- D. Costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k (3).
- E. For such other and further relief as the Court may deem just and proper.

THE PLAINTIFF

  
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